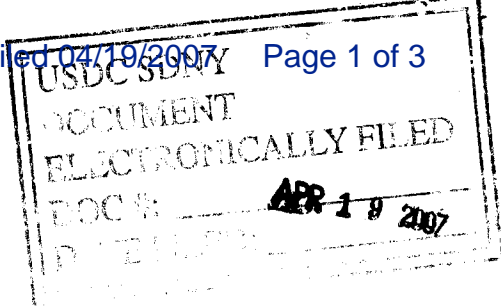


JUDGE STEIN

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA :

INDICTMENT

- v. - :

07 Cr.

ELVIS FUENTES,
Defendant. :

07 CRIM 329

- - - - - x

COUNT ONE

1. On or about March 20, 2007, in the Southern District of New York, ELVIS FUENTES, the defendant, unlawfully, intentionally, and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of marijuana, in an apartment located in a building at 282 East Gun Hill Road in the Bronx, New York.

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(D) and Title 18, United States Code, Section 2.)

COUNT TWO

2. On or about March 20, 2007, in the Southern District of New York, ELVIS FUENTES, the defendant, unlawfully, willfully, and knowingly, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the offense charged in Count One of this Indictment, did use and carry firearms, and, in furtherance of such crime, did possess firearms, to wit, a loaded .38 caliber

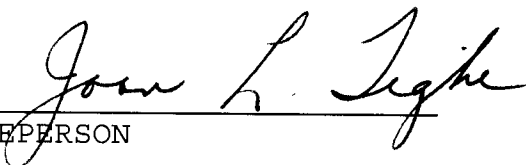
Ruger model revolver and a loaded .380 caliber Firestorm model semi-automatic pistol, which FUENTES possessed in an apartment located in a building at 282 East Gun Hill Road in the Bronx, New York.

(Title 18, United States Code,
Sections 924(c)(1)(A)(i) and 2.)


COUNT THREE

3. On or about March 20, 2007, in the Southern District of New York, ELVIS FUENTES, the defendant, being an unlawful user of a controlled substance, to wit, marijuana, unlawfully, willfully, and knowingly did possess in and affecting commerce firearms, namely, a loaded .38 caliber Ruger model revolver and a loaded .380 caliber Firestorm model semi-automatic pistol, which FUENTES possessed in an apartment located in a building at 282 East Gun Hill Road in the Bronx, New York.

(Title 18, United States Code, Section 922(g)(1).)



FOREPERSON



MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

ELVIS FUENTES,

Defendant.

INDICTMENT

07 Cr. ____

(21 U.S.C. §§ 812, 841(a)(1),
841(b)(1)(D) and 18 U.S.C. §§ 924,
922(g)(3) and 2.)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Jean L. Lyke

Foreperson.

*Indictment filed, case assigned to
Judge Flein
7 mass, USMS*

*Recd 4/27
RC
4/19/07*